

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CORNER COMPUTING SOLUTIONS;
and DALE JAKE CORNER,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

CASE NO. 2:23-cv-00939-TL

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte* (on its own motion). Defendant Google has removed a case filed by Plaintiff Dale Jake Corner on behalf of himself and Corner Computing Solutions SP, a sole proprietorship he owns (referred to collectively as “Plaintiff”) (Dkt. No. 6 at 4) in Snohomish County Superior Court on diversity jurisdiction grounds. Dkt. No. 1 at 2; Dkt. No. 1-2 at 1. Plaintiff, proceeding *pro se* (without an attorney)¹ alleges:

¹ As a sole proprietorship, Corner Computing Solutions does not require separate counsel. *Amana Glob. Co. v. King Cnty.*, No. C21-35537, 2021 WL 4843878, at *1, n.1 (9th Cir. Oct. 18, 2021) (noting that “an individual owner may represent his sole proprietorship in a pro se capacity because a sole proprietorship has no legal existence apart from its owner” (internal citation omitted)).

1 (1) breach of contract thorough “negligence in the inappropriate handling of the Google
2 AdWords account” for Corner Computing Solutions; (2) failure to remove “spurious origin and
3 ‘Prohibited and Restricted Content’ reviews;” (3) unfair refusal to remove those reviews “for 5
4 or more months;” and (4) a ban on the “DALEJAKECORNER” account “without pre
5 notification or communication.” Dkt. No. 1-2 at 1–2. . For these alleged violations, Plaintiff
6 requests relief in the amount of “150 Million United States Dollars.” Dkt. No. 1-2 at 3; Dkt. No.
7 1 at 2.

8 Federal courts have limited jurisdiction and must ensure that they have subject matter
9 jurisdiction of all matters before them. *United Investors Life Ins. Co. v. Waddell & Reed,*
10 *Inc.*, 360 F.3d 960, 967 (9th Cir. 2004). A defendant may remove cases that fall within a federal
11 court’s original jurisdiction. 28 U.S.C. § 1441(a). However, “[r]emoval and subject matter
12 jurisdiction statutes are strictly construed, and a defendant seeking removal has the burden to
13 establish that removal is proper and any doubt is resolved against removability.” *Hawaii ex rel.*
14 *Louie v. HSBC Bank Nev., N.A.*, 761 F.3d 1027, 1034 (9th Cir. 2014) (internal citations and
15 quotation omitted).

16 Courts generally look to the operative complaint to establish the amount in controversy.
17 *See, e.g., Mollett v. Aerotek*, No. C20-6168, 2021 WL 1783339, at *2 (W.D. Wash. May 5,
18 2021).

19 The removing party bears the burden of establishing that the amount in controversy
20 “more likely than not” exceeds the jurisdictional threshold. *Guglielmino v. McKee Foods Corp.*,
21 506 F.3d 696, 699 (9th Cir. 2007); *see also Acad. of Country Music v. Cont’l Cas. Co.*, 991 F.3d
22 1059, 1069 (9th Cir. 2021). The Ninth Circuit has “identified at least three different burdens of
23 proof which might be placed on a removing defendant under varying circumstances:” (1) it
24 appears to a “legal certainty” that the plaintiff cannot actually recover the amount alleged in the

1 complaint; (2) the face of the complaint is unclear or unambiguous as to the amount in
2 controversy; and (3) the complaint alleges an amount in controversy lower than the jurisdictional
3 threshold. *Guglielmino*, 506 F.3d at 699 (internal citations and quotations omitted). The Court is
4 not satisfied that Plaintiff can recover the monetary amount requested in the complaint.

5 Accordingly, the Court ORDERS Defendant to show cause why this action should not be
6 remanded **within fourteen (14) days of this Order (i.e., by November 29, 2023)**, with legal
7 authorities and factual bases supporting its assertions that the amount in controversy, if Plaintiff
8 succeeds on all claims, could exceed \$75,000 as required under 28 U.S.C § 1332(a). Plaintiff
9 may submit one response to this Order **by no later than December 6, 2023**. No replies will be
10 allowed. Both briefs are limited to 2,100 words. Alternatively, Defendant may stipulate to a
11 remand.

12 Dated this 15th day of November 2023.

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Tana Lin
15 United States District Judge
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